

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

v.

PETER GERACE, JR.,

19-CR-227
23-CR-37
ORDER

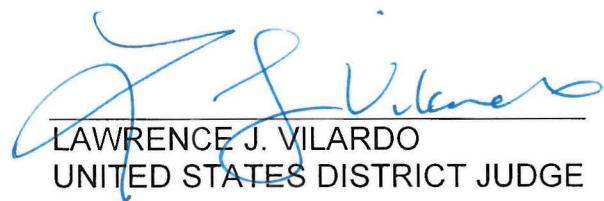
Defendant.

Because full consideration of the government's revised and superseding motion to disqualify, Docket Item 691, will take additional time, "it is . . . open to [the Court] to find that the interest of justice is best served by granting a continuance under [18 U.S.C. §] 3161(h)(8) [now § 3161(h)(7)(A)] for the excess period[.]" *United States v. Bufalino*, 683 F.2d 639, 645 (2d Cir. 1982). Based upon the complex and weighty issues presented by the motion, the Court finds that the interests of justice in a continuance override the defendant's and the public's interests in a speedier trial, and this Court grants a further continuance under 18 U.S.C. §3161(h)(7)(A) from today's date until April 26, 2024.

This order puts the defendant "on notice that the speedy trial clock has been stopped," and it ensures that, "[i]f for any reason counsel believes that [an exclusion] is inappropriate, an objection may be raised and a record made" of the objection. *United States v. Tunnessen*, 763 F.2d 74, 78 (2d Cir. 1985); see also *United States v. Kiszewski*, 877 F.2d 210, 215 (2d Cir. 1989).

SO ORDERED.

Dated: April 12, 2024
Buffalo, New York



LAWRENCE J. VILARDO
UNITED STATES DISTRICT JUDGE